



General Assembly

February Session, 2002

***Amendment***

LCO No. 3159

\*SB0013003159SD0\*

Offered by:

SEN. PRAGUE, 19<sup>th</sup> Dist.

To: Subst. Senate Bill No. 130

File No. 157

Cal. No. 139

***"AN ACT CONCERNING NURSING HOME INSPECTIONS."***

1 After line 13, insert the following:

2 "Sec. 2. (NEW) (*Effective October 1, 2002*) The Department of Social  
3 Services shall submit a request to amend the Medicaid home-care  
4 program waiver for inclusion of services provided by personal care  
5 attendants and services provided by nonspousal family members.

6 Sec. 3. Subsection (c) of section 17b-342 of the general statutes is  
7 repealed and the following is substituted in lieu thereof (*Effective*  
8 *October 1, 2002*):

9 (c) The community-based services covered under the program shall  
10 include, but not be limited to, the following services to the extent that  
11 they are not available under the state Medicaid plan, occupational  
12 therapy, homemaker services, companion services, personal care  
13 attendant services, services provided by family members and spouses,  
14 meals on wheels, adult day care, transportation, mental health  
15 counseling, care management, elderly foster care, minor home

16 modifications and assisted living services provided in state-funded  
17 congregate housing and in other assisted living pilot or demonstration  
18 projects established under state law. Recipients of state-funded  
19 services and persons who are determined to be functionally eligible for  
20 community-based services who have an application for medical  
21 assistance pending shall have the cost of home health and community-  
22 based services covered by the program, provided they comply with all  
23 medical assistance application requirements. Access agencies shall not  
24 use department funds to purchase community-based services or home  
25 health services from themselves or any related parties.

26 Sec. 4. (NEW) (*Effective July 1, 2002*) (a) The Commissioner of Social  
27 Services may, within available appropriations, establish and operate a  
28 pilot program to allow not more than fifty persons to receive assisted  
29 living services, provided by an assisted living services agency licensed  
30 by the Department of Public Health, in accordance with chapter 368v  
31 of the general statutes. In order to be eligible for the program, a person  
32 shall: (1) Reside in a managed residential community, as defined in the  
33 regulations of the Department of Public Health; (2) be ineligible to  
34 receive assisted living services under any other assisted living pilot  
35 program established by the General Assembly; and (3) be eligible for  
36 services under the Medicaid waiver portion of the Connecticut home-  
37 care program for the elderly established under section 17b-342 of the  
38 general statutes, as amended.

39 (b) The pilot program established pursuant to this section may  
40 begin operation on or after January 1, 2003. Not later than January 1,  
41 2005, the Commissioner of Social Services shall report, in accordance  
42 with section 11-4a of the general statutes, to the joint standing  
43 committees of the General Assembly having cognizance of matters  
44 relating to public health, human services, appropriations and the  
45 budgets of state agencies on the pilot program.

46 (c) The Commissioner of Social Services may seek a waiver of  
47 federal law for the purpose of strengthening transfer of asset rules for  
48 individuals applying for the pilot program established pursuant to this

49 section. The implementation of the pilot program shall not be  
50 dependent upon approval of such waiver of federal law. The  
51 provisions of section 17b-8 of the general statutes shall apply to this  
52 subsection.

53       Sec. 5. (NEW) (*Effective July 1, 2002*) (a) The Commissioner of Social  
54 Services may, within available appropriations, establish and operate a  
55 pilot program to allow not more than twenty-five persons to receive  
56 assisted living services, provided by an assisted living services agency  
57 licensed by the Department of Public Health, in accordance with  
58 chapter 368v of the general statutes. In order to be eligible for the pilot  
59 program, a person shall: (1) Reside in a managed residential  
60 community, as defined in the regulations of the Department of Public  
61 Health; (2) be ineligible to receive assisted living services under any  
62 other assisted living pilot program established by the General  
63 Assembly; (3) have not transferred any assets for less than fair market  
64 value, as determined by the Department of Social Services, during the  
65 thirty-six-month period prior to applying for the pilot program  
66 established under this section; and (4) be eligible for services under the  
67 state-funded portion of the Connecticut home-care program for the  
68 elderly established under section 17b-342 of the general statutes, as  
69 amended.

70       (b) The pilot program established pursuant to this section may  
71 begin operation on or after January 1, 2003. Not later than January 1,  
72 2005, the Commissioner of Social Services shall report, in accordance  
73 with section 11-4a of the general statutes, to the joint standing  
74 committees of the General Assembly having cognizance of matters  
75 relating to public health, human services, appropriations and the  
76 budgets of state agencies on the pilot program."